

RESOLUTION 2019- 1
of the
CITY OF CALIENTE

RESOLUTION OF THE CALIENTE CITY COUNCIL TO ESTABLISH THE RELATIONSHIP BETWEEN THE CITY OF CALIENTE AND THE CALIENTE BEAUTIFICATION COMMITTEE

WHEREAS, the City of Caliente, Nevada has established a Beautification Committee, which is a working committee devoted to beautification and community projects, and

WHEREAS, on March 25, 2002, a Memorandum of Understanding (the "Agreement") established the relationship between the City of Caliente and the Caliente Beautification Committee, and

WHEREAS, this Agreement outlined the cooperative efforts of both parties to serve the public need, to maintain and improve certain public areas within the City of Caliente, and other matters herein specified, and

WHEREAS, the parties now desire to restate and clarify the terms of the 2002 Agreement and define the extent of services to be provided by both parties, and to outline the function, structure, and operation of the Committee, and

WHEREAS, the Caliente Beautification Committee herein concurs with the terms of this agreement and acceptance has occurred by vote of the Committee.

NOW, THEREFORE, BE IT RESOLVED that:

1. The purpose of the Committee is to act in an advisory capacity, including recommending and organizing projects, such as planting, painting, clean-up, and beautification of rights-of-way, public grounds, public buildings, public parks, and other public places that are within the incorporated boundaries of or under the jurisdiction and control of the City. In addition to developing and implementing beautification projects, the Committee encourages activities that promote civic pride.
2. The Committee shall consist of seven members.
3. The Committee will designate a Chairperson, Secretary and a Treasurer by a majority vote.
4. The Mayor will recommend for appointment a City Council member to serve as a liaison to the Committee who shall not carry a vote on the Committee. The City Council shall confirm any such appointment made by the Mayor.
5. A majority of the entire voting members of the Committee shall constitute a quorum. A quorum shall be present before any business is transacted.

6. Members of the Committee shall serve until resignation. Members of the Committee may also be removed by the Mayor and Council for cause, on written charges served on the Committee member.
7. The Committee shall fill any Committee vacancies by a majority vote. Any new appointees shall also be ratified by the City Council at a regularly scheduled City Council meeting.
8. The Committee shall have one regularly scheduled monthly meeting. Additional meetings may be called by the Chairperson as deemed necessary. Meetings are generally held on the third Tuesday of every month at 6:00 p.m. Meetings may also be held as otherwise designated and posted by the Committee in order to fulfill its responsibilities in a timely and responsive manner.
9. All meetings of the Committee are open to the public and notice of meetings shall be posted in accordance with the Nevada Open Meeting Law, Chapter 241 of the Nevada Revised Statutes.
10. The Committee will maintain meeting minutes of its monthly meetings.
11. The Committee shall provide a written annual report, outlining the activities of the Committee in the preceding year, including a complete accounting of all funds received and disbursed, to the Mayor and City Council by March 1st of each calendar year.
12. The funds used by the Committee are raised through donations and fund-raisers. The Committee does not use money from the City's General Fund.
13. The money raised by the Committee and the improvements undertaken by the Committee are intended to assist the efforts of the City in the improvement of public areas.
14. The Committee shall not inspect, control, or make recommendations concerning private property.

IT IS HEREBY FURTHER RESOLVED that the general responsibilities of the Beautification Committee shall include:

15. The Committee shall be known as a "working committee" and as such, may initiate projects and exercise general supervision concerning beautification of all public buildings, streets and other public property.
16. Beautification projects of rights-of-way along streets, public buildings and other public areas may be carried out throughout the year. Improvements and suggestions shall be coordinated with the City Council member assigned to the Committee and City staff.
17. Projects may also include holiday and seasonal decorating and sponsoring holiday and other special events. The Committee may join and contribute to City's efforts concerning Christmas, holiday, and other special events, if they so desire.
18. The Committee may coordinate and consult with the Mayor and the City Council concerning specific recommendations to upgrade and beautify City property, including landscape improvements.

19. The Committee may advertise, prepare, print and distribute pamphlets, brochures, maps or other reading material which are deemed necessary for the promotion of any programs, projects or activities under its purview.
20. The Committee may coordinate and participate in a Spring Clean-Up each year. The objective of the clean-up will be to encourage community involvement and help achieve a better overall appearance throughout the City. The Committee shall work with the City to arrange for the use of equipment and, if necessary, City staff. The Spring Clean-Up shall occur before Memorial Day Weekend of each year.

IT IS HEREBY FURTHER RESOLVED that the general responsibilities of the City of Caliente shall include:

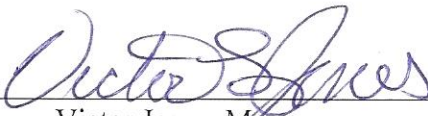
21. The City, including the Department of Public Utilities, shall provide support to the Committee as reasonably requested. Support by the City of the Committee's requests shall be expressly contingent upon the availability of City resources, such as equipment, labor, and finances and shall be subject to prior coordination through the assigned City Council member who may then coordinate requests through the City Council and/or City staff as he or she sees fit. All beautification projects in which City assistance is requested shall be subject to this section.
22. Funds earned by the Committee shall be held by the City in a separate fund for the use of the Committee only. Funds shall be spent for the purposes for which they were received. Bills incurred by the Committee shall be presented to the City Clerk for payment from the Committee's account.
23. In addition, upon approval by the City Council, a petty cash fund may be established for the Committee's use in the amount of \$1,000.00.
24. The City Clerk will work with the Committee to oversee the timely payment of bills and accounting for the use of all funds held by the Committee, including a complete accounting of all funds received and disbursed.
25. The City shall furnish to the Committee all information requested with regard to estimated costs and other pertinent information regarding proposed projects.
26. The City shall attempt to provide or discover funding sources to provide construction plans, materials, and labor for approved major capital projects.
27. The City shall furnish all utilities required to ensure effective and efficient operation of Committee assignments. Such utility service shall include, but not be limited to electric power necessary to operate Christmas decorations and other Committee-associated efforts intended to beautify and better the community. The City shall bear any minimal costs associated with such service.

IT IS ALSO HEREBY FURTHER RESOLVED, that:


28. The period of time wherein the Committee is authorized to provide services described herein shall be from the date this MOU is approved by the City Council, until terminated.
29. The obligation to provide further services may be terminated with cause, upon 60-days written notice by either party. In the event of termination, the City shall retain all authority to proceed as deemed in the best interests of the citizens of the City. Upon termination of this MOU, the City shall secure as public property, including all materials, funds, decorations, equipment, etc., in possession of the Committee.

ADOPTED, SIGNED and APPROVED this 25TH day of FEBRUARY 2019.

CITY OF CALIENTE, NEVADA

By 
Victor Jones, Mayor

Attest:


By: Ashley Curtis, City Clerk